

Regulatory Framework

Billing rules in the state of Alaska are located in the Alaska Administrative Code (AAC), Chapters 48 (Article 2), 52 (Articles 3 and 4) and 53 (Articles 3 and 4) and Alaska Statutes (AS), Title 42, Chapter 5.

Effective May 18, 2003, the Commission adopted new rules streamlining the regulation of resale IXCs and OSPs, including provisions for registration in lieu of certification. These rules include provisions impacting customer billing and deposits. Under the new rules, almost all resale IXCs and all OSPs will be subject to registration. Carriers still requiring certification will include facilities-based IXCs, registered entities with more than one million billable intrastate minutes per month for three consecutive months, entities providing service to inmates in a correctional facility, intrastate ILECs, and affiliates of intrastate ILECs or certificated IXCs.

Definitions

For purposes of the application of the billing rules, no distinction is made between facilities-based and non-facilities based CLECs. Therefore, the term CLECs will include both facilities-based and resale CLECs. For IXCs, some rules are applicable only to registered IXCs. As used here, the term "IXC-R" will refer to registered IXCs. The term "IXC-C" will refer to certificated IXCs. The term "IXC" will include both facilities-based (certificated) IXCs and registered IXCs as defined below. OSPs are generally regulated as IXC-Rs except where separately noted.

- Alternate operator service - means a connection to intrastate or interstate long-distance telecommunications facilities from a nonresidential location in the state including a hotel, motel, hospital, or customer-owned pay telephone, or from a place where business from consumers is aggregated, by a person that does not own any of the telecommunications facilities being connected through the service. It does not include an intrastate or interstate long-distance carrier that contracts for operator services and charges rates for those services that are no greater than the rates charged by long-distance carriers regulated by the Alaska PUC or by the FCC. (AS §42.05.325(c))
- Interexchange carrier - means any individual, partnership, association, joint stock company, trust, governmental entity, or corporation engaged for hire in interexchange communications by wire, fiber, or radio, between two or more exchanges. (3 AAC 52.340(36))
- Local exchange carrier - means a carrier certified to provide local exchange telephone service. (3 AAC 53.299(6))
- Operator service provider - means either an interexchange carrier certified to provide intrastate operator service or an alternative operator providing intrastate services under AS 42.05.325. (3 AAC 53.899(4))
- Telephone utility - means a public utility which furnishes telecommunications service. (3 AAC 52.340(67))

Service Initiation

Category	Type	Rule
Establishment of Credit	All IXCs and CLECs	Not addressed.
Re-establishment of Credit	All IXCs and CLECs	Not addressed.
Refusal/Denial of Service	All IXCs and CLECs	Not addressed.
Customer Disclosures	All IXCs and CLECs 3 AAC 52.210(a)	Utility business offices generally must be so located and staffed that customers and others have convenient access to qualified personnel, including supervisory personnel where warranted, to provide information relating to services and rates, to accept and process applications for service, to explain charges on customer's bills, to adjust charges made in error, and generally to act as the representative of the utility. Where alternative service which may meet a customer's requirements is available from the utility, the utility shall make a reasonable effort to advise the customer of the most economic service available and to assist the customer in making his choice of service.
	All IXCs and CLECs 3 AAC 52.210(b)	The utility shall notify the customer of any service connection or installation charge to be applied to his bill before undertaking any action so chargeable, and shall inform the customer of the estimated initial bill for local service and all other applicable charges. Before performing the work, the utility shall provide the customer with an estimate of the charges to be levied for extraordinary construction, maintenance, replacement costs, expenses, or overtime work unless these charges are specifically set out in the utility's tariff or unless the customer specifically requests billing on a "keep cost order" basis. No costs exceeding that estimate may be charged to the customer without advance written customer approval. Costs below the estimate must be reflected in reduced charges or refunds to the customer.
	All IXCs and CLECs 3 AAC 52.210(c)	The utility shall notify its customers and the public of all reasonably available means of contacting its business offices. The utility shall provide toll-free calling from each community that it serves to its business office whenever the business office is located outside of those communities.
	All IXC-Rs 3 AAC 52.358(e)(7)	An entity registering under this section shall: (7) notify all new customers and annually notify existing customers that they may opt to receive notice of tariff revisions by electronic mail or by mail as provided in 3 ACC 52.367(e)(2).

Deposits/Advance Payments

Category	Type	Rule
When Allowed	All IXC-Cs and CLECs	Not addressed.
	All IXC-Rs 3 AAC 52.358(f)	An entity registering under this section may not (1) offer untariffed intrastate interexchange service.
	All IXC-Rs 3 AAC 52.367(b)	A registered entity's on-line tariff may include the following charges if fully described in the entity's on-line tariff and in compliance with the rules for each type of charge set out below: (1) a customer deposit if the entity's on-line tariff states objective criteria for determining when a customer deposit will be required; the deposit may not exceed the entity's estimate of two months billings and may not be retained longer than two years unless the customer is delinquent in payment more than once in any 12 consecutive months.
Amount	All OSPs 3 AAC 52.367(b)	(1) An alternative operator service provider may not require a customer deposit.
	All IXCs and CLECs 3 AAC 48.420(a)	When a deposit is required as a condition of receiving utility service the rule which established the deposit requirement shall also set forth the maximum amount of the deposit to be paid, which in no case shall exceed the following amount for a customer of the indicated type of utility as determined by the utility after consultation with the customer: (1) two months' telephone billings, including toll charges as estimated by the utility;
	All IXCs and CLECs 3 AAC 53.510(e) (pay-per-call)	Pay-per-call telephone service charges may not be included in the calculation of deposits to establish or reconnect basic local or interexchange telephone service.
Form of Payment	All IXCs and CLECs	Not addressed.
Receipt/Records	All IXCs and CLECs	Not addressed.
Interest	All IXCs and CLECs AS 42.05.365(a)	A public utility may collect and retain a deposit for contracted recurring monthly service. A public utility that collects and retains a deposit of over \$100 for recurring monthly service shall pay interest on that deposit at or before the time it is returned. Interest paid under this section shall be at the legal rate of interest at the time the deposit is made. However, if the deposit is placed in an interest bearing account, the utility shall pay the interest rate of the interest bearing account.
	All IXCs and CLECs AS 42.05.365(b)	If delinquent payments result in interruption of service, a public utility is not required to pay interest under section 42.05.365(a) for 12 months after reestablishment of service.

Deposits/Advance Payments

<i>Category</i>	<i>Type</i>	<i>Rule</i>
Refunds	All IXC's and CLECs <i>3 AAC 48.420(b)</i>	<p>The deposit rule must clearly state the length of time the utility will retain a customer's deposit, but under no circumstances may a utility retain a customer's deposit longer than two years, if, in the interim period, the utility has not been forced to disconnect that customer's service for reasons of delinquency in payment of charges, and if the customer has not been delinquent in payment more than once in any 12 consecutive months.</p> <p>The deposit must be returned to the customer within 60 days after discontinuance of telephone service, after deducting money due the utility.</p>
Advance Payments	All IXC's and CLECs	Not addressed.

Bill Detail

<i>Category</i>	<i>Type</i>	<i>Rule</i>
Form/Content	All IXC and CLECs 3 AAC 52.230(b)	Bills to subscribers must contain a clear listing of all adjustments and other nonrecurring charges. One flat monthly charge may be shown for all local service furnished under the same telephone number, and this charge may be billed one month in advance. All toll charges must be itemized, specifying on a call-by-call basis the date of the call, the locations connected, the duration of the call, whether the call required special assistance (e.g., person-to-person, operator assisted, etc.), and the charge for the call.
	All IXC-Rs 3 AAC 52.358(e)	An entity registering under this section shall: (5) list all state and local taxes and fees as separate line items on a customer's bill.
	All IXC and CLECs 3 AAC 53.520(a) (pay-per-call)	On a billing statement, charges for pay-per-call telephone service must be segregated from charges for basic local or interexchange telephone service charges and be listed in a clear and conspicuous manner under a separate heading that reads "Pay-Per-Call Telephone Service Charges."
	All IXC and CLECs 3 AAC 53.520(c) (pay-per-call)	A billing statement must provide a local or toll-free telephone number that a customer may call with disputes regarding pay-per-call telephone service charges.
	Required Text	All IXC and CLECs 3 AAC 53.520(b) (pay-per-call)
Non-Deniable Charges		All CLECs
	All IXCs	Not addressed.
Other	All IXC and CLECs 3 AAC 52.230(a)	Each utility shall retain information used in the preparation of a subscriber's bill in sufficient detail to identify the subscriber and the applicable charges for all services rendered.

Billing and Collection

<i>Category</i>	<i>Type</i>	<i>Rule</i>
Billing Frequency	All IXCs and CLECs 3 AAC 52.230(b)	Bills to subscribers must be rendered monthly.
Bill Due Date	All IXCs and CLECs	Not addressed.
Late Fees	All IXC-Rs 3 AAC 52.367(b)	A registered entity's on-line tariff may include the following charges if fully described in the entity's on-line tariff and in compliance with the rules for each type of charge set out below: <ul style="list-style-type: none"> (2) late payment charges for bills not paid 30 days after the later of the billing invoice date or the billing postmark date; late payment charges may include <ul style="list-style-type: none"> (A) a one-time late payment fee not exceeding one percent of the unpaid amount; and (B) a finance charge not exceeding .000287 percent of the unpaid amount per day that the amount remains unpaid.
	All IXC-Cs and CLECs	Not addressed.
Past Due Date	All IXC-Cs and CLECs	Not addressed.
	All IXC-Rs 3 AAC 52.367(b)	A registered entity's on-line tariff may include the following charges if fully described in the entity's on-line tariff and in compliance with the rules for each type of charge set out below: <ul style="list-style-type: none"> (2) late payment charges for bills not paid 30 days after the later of the billing invoice date or the billing postmark date.
Partial Payments	All IXCs and CLECs	Not addressed.
Return Check Charge	All IXC-Rs 3 AAC 52.367(b)	A registered entity's on-line tariff may include the following charges if fully described in the entity's on-line tariff and in compliance with the rules for each type of charge set out below: <ul style="list-style-type: none"> (3) a return check fee not exceeding \$25.
	All IXC-Cs and CLECs	Not addressed.
Aging/Backbilling	All IXCs and CLECs	Not addressed.
Other	All IXCs and CLECs 3 AAC 48.230(a)	Each utility shall transmit to the PUC, by advice letter, 11 copies of every billing and contract form, other than special contracts, that are used routinely in its operations and relate directly to the provision of utility service to the public. <p>If any previously filed form is changed, copies of the revised forms must be transmitted to the PUC promptly. A utility may incorporate the forms required to be filed by this subsection in its tariff instead of submitting them separately by advice letter.</p>

Billing and Collection

<i>Category</i>	<i>Type</i>	<i>Rule</i>
Other, cont'd.	All IXCs and CLECs <i>3 AAC 48.230(b)</i>	Every billing and contract form shall be consistent with the utility's effective tariff at the time it is filed with the commission and shall be changed if necessary to reflect changes in the utility's effective tariff.

Billing Inquiries

Category	Type	Rule
Payment Disputes	All IXC's and CLECs 3 AAC 53.530(b) (pay-per-call)	The billing agent shall waive pay-per-call telephone service charges for a period of time from a customer's first inadvertent, mistaken, or unauthorized call to the date on which the customer notifies the billing agent that the charges are disputed.
	All IXC's and CLECs 3 AAC 53.530(d) (pay-per-call)	In exchanges where customer-specific blocking of pay-per-call services is available, the billing agent shall provide adjustments for pay-per-call telephone service charges for reasonably disputed charges. The basis for a reasonably disputed charge includes: <ol style="list-style-type: none"> (1) the customer did not receive a price advertisement in the preamble, the price of the call was misrepresented to the customer in the preamble, or the price advertisement received by the customer in the preamble was false, misleading, or deceptive; (2) the customer was misled, deceived, or confused by the preamble; (3) the pay-per-call telephone service program was incomplete, garbled, inaudible, or unintelligible; (4) the customer was disconnected or cut off from the pay-per-call telephone service; (5) the pay-per-call telephone service provided out-of-date information; (6) the customer terminated the call during the preamble but was charged for the pay-per-call telephone service; or (7) the customer did not take affirmative action to accept a collect pay-per-call telephone service.
	All IXC's and CLECs 3 AAC 53.530(e) (pay-per-call)	In exchange where customer-specific blocking of pay-per-call services is not available, the billing agent shall provide unlimited, automatic adjustments for pay-per-call telephone service charges upon a customer complaint.
Investigation	All IXC's and CLECs 3 AAC 52.210(d)	Telephone utilities shall make all reasonable efforts to acknowledge, and where appropriate to answer, all correspondence within 10 working days or as soon as reasonably possible thereafter. The utility shall maintain records of the contact.
Record Retention	All IXC's and CLECs	Not addressed.
Service Interruption Credits	All IXC's and CLECs	Not addressed.
Other	All IXC's and CLECs 3 AAC 53.520(d) (pay-per-call)	The name, address and business telephone number of the information service provider must be provided at the customer's oral or written request in a reasonable amount of time and free of charge.

Disconnection of Service

<i>Category</i>	<i>Type</i>	<i>Rule</i>
When Allowed (incl. notice time periods)	All IXCs and CLECs	Not addressed.
When Prohibited	All CLECs 3 AAC 52.385(c)	A local exchange carrier may not disconnect a customer from local service for failure to pay interexchange carrier charges.
	All CLECs 3 AAC 53.510(a) (pay-per-call)	A local exchange carrier may not disconnect a customer's basic local telephone service for nonpayment of pay-per call service charges.
	All IXCs 3 AAC 53.510(b) (pay-per-call)	An interexchange carrier may not disconnect a customer's interexchange telephone service for nonpayment of pay-per-call telephone service charges.
	All IXCs and CLECs 3 AAC 53.510(c) (pay-per-call)	A local exchange carrier or an interexchange carrier may not threaten to disconnect basic local or interexchange telephone service or imply that service may be disconnected due to nonpayment of pay-per-call telephone service charges.
	All IXCs and CLECs 3 AAC 53.510(d) (pay-per-call)	Pay-per-call telephone service charges may not be included in the amount that must be paid to avoid disconnection of basic local or interexchange telephone service.
Notice Form/Content	All IXCs and CLECs	Not addressed.
Fees	All IXCs and CLECs	Not addressed.
Warm Line	All IXCs and CLECs	Not addressed.
Other	All IXCs and CLECs AS 42.05.365(b)	If delinquent payments result in interruption of service, a public utility is not required to pay interest under section 42.05.365(a) for 12 months after reestablishment of service.

Directory Assistance Exemptions and Disabled Discounts

<i>Category</i>	<i>Type</i>	<i>Rule</i>
DA Call Allowance		
<i>All Customers</i>	All IXCs and CLECs	Not addressed.
<i>Disabled</i>	All IXCs and CLECs	Not addressed.
Disabled Discounts		
<i>Toll Discounts</i>	All IXCs and CLECs	Not addressed.